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MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD
SPECIAL WASTE COMMITTEE

JOE SERNA, JR., CALEPA BUILDING
1001 I STREET
2ND FLOOR
COASTAL HEARING ROOM
SACRAMENTO, CALIFORNIA

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JAMES F. PETERS, CSR, RPR
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PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

COMMITTEE MEMBERS

Ms. Cheryl Peace, Chairperson

Ms. Rosario Marin

Ms. Rosalie Mul

STAFF

Mr. Mark Leary, Executive Director

Ms. Julie Nauman, Chief Deputy Director

Ms. Marie Carter, Chief Counsel

Mr. Jim Lee, Deputy Director

Ms. Bonnie Cornwall, Supervisor, Grants and Certification
Section

Mr. Keith Cambridge

Mr. Spencer Fine

Mr. James Herota

ALSO PRESENT

Mr. Alan Abbs, ESJPA

Dr. Rufus Browning

Ms. Cedar Kehoe, City of Elk Grove

Ms. Heidi Sanborn, Solid Waste Consultant

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1 PROCEEDINGS

2 CHAIRPERSON PEACE: Good morning. Is everybody
3 ready? Welcome to the Special Waste Committee.

4 First, before we get started I'd like to
5 introduce my new executive assistant, Eronia Hunt, over
6 there in the green; and who taken Selma Lindrud's place
7 since Selma retired.

8 So welcome, Eronia. Hopefully this will be an
9 easy initiation meeting for you today.

10 And will you please call the roll.

11 COMMITTEE SECRETARY HUNT: Marin?

12 Mulé?

13 COMMITTEE MEMBER MULÉ: Here.

14 COMMITTEE SECRETARY HUNT: Peace?

15 CHAIRPERSON PEACE: Here.

16 Chair Marin is attending a Border Governors'
17 Conference in Mexico today. So that is why she is not
18 here with us today.

19 So if I could please remind everyone to turn off
20 their cell phones or, you know, put them in the meeting or
21 vibrate mode.

22 There are agendas on the back table, little
23 speaker slips. So if you would like to address the
24 Committee on an item, please bring your speaker slip to
25 Ms. Hunt right over there.

1 Have any ex partes?

2 COMMITTEE MEMBER MULÉ: I'm up to date, thank
3 you, Madam Chair.

4 CHAIRPERSON PEACE: And I am also up to date.
5 So I guess we can get started.

6 Mr. Lee, are you ready?

7 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.
8 And good morning, Board Member Mulé.

9 My name is Jim Lee. I'm Deputy Director of the
10 Special Waste Division.

11 Madam Chair, I have no items on my Deputy
12 Director report for you this morning. So, again, I would
13 like to take this opportunity to ask if there's any
14 questions, you know, that perhaps you might want to, you
15 know, address to me, issues or concerns.

16 Hearing none, I guess I would like to propose
17 that we move on to today's agenda.

18 First item for your consideration is the
19 consideration of adoption of the proposed regulations for
20 waste and used tire haulers regarding retreaders.

21 Keith Cambridge will make the staff presentation.

22 MR. CAMBRIDGE: Good morning, Madam Chair, Board
23 Member Mulé. My name's Keith Cambridge of the Waste Tire
24 Hauler Registration and Manifest Program. Tom Micka, who
25 prepared this item, is on vacation this week, so I'll be

1 presenting this item.

2 Early last year TRIB, the Tire Retread
3 Information Bureau, and its membership sought relief from
4 the California Uniform Waste and Used Tire Manifest
5 regulations that were implemented in July 2003. TRIB
6 members felt that the new manifest and TRIB log forms
7 placed an unnecessary hardship on the retreader, who are
8 already invoicing all their documents in very much detail
9 prior to their removal from the generators' locations.

10 Board staff, with the assistance of TRIB,
11 developed the California Retreader Trip Log to help
12 alleviate this burden. In June 2004, the Board adopted
13 emergency regulations for the retreaders which allowed
14 them to use this form. These regulations became effective
15 on August 20th, 2004.

16 The Board also directed staff to proceed with the
17 rule-making process and implement non-emergency
18 regulations for the retreaders. These proposed
19 non-emergency regulations were set out for public comment
20 period on February 25th, 2005, and are presented in your
21 agenda package as item 3a.

22 On April 25th, 2005, a public hearing was held
23 concerning these regulations. No comments were received
24 during the comment period or at the public hearing.

25 On a parallel track, in April of this year the

1 Board approved emergency regulations revising the current
2 manifest system by implementing the new Comprehensive Trip
3 Log, or CTL, form. The CTL form provides an easier and a
4 shorter reporting requirement for all waste tire haulers,
5 including retreaders, and is very similar to the Retreader
6 Trip Log.

7 In addition, staff is currently working with the
8 retreaders and waste tire haulers to get them aboard at
9 our Electronic Data Transfer, or EDT, program or web-based
10 program.

11 Currently 33 out of about 60-plus California
12 retreaders are using the Retreader Trip Log. Staff
13 believes it is not cost effective to continue the use of
14 this form with the new options such as the CTL or
15 web-based EDT now available and recommends that the
16 Retreader Trip Log form and applicable regulations be
17 sunsetted when the non-emergency CTL regulations become
18 effective in the spring of 2006. Staff has presented this
19 information to TRIB, and they are also in agreement with
20 this proposal.

21 At last year's monthly Special Waste Committee
22 staff presented this information to the Committee. The
23 Committee directed staff to go out for an additional
24 15-day comment period, which ran between June 27th and
25 July 11th. No comments were received by staff. And

1 copies of the proposed non-emergency regulations have been
2 provided and are in the back of the room for those who are
3 interested.

4 Staff believes that this retreader regulation
5 package will not have a significant effect on the
6 environment and that this package qualifies for a
7 categorical exemption which encompasses actions by the
8 regulatory agencies for protection of the environment. At
9 the Board's direction, staff will file a notice of
10 exemption with the Governor's Office of Planning and
11 Research.

12 Staff recommends that the Board adopt Resolution
13 2005-193, adopting the proposed changes to the retreader
14 regulations, and make a finding that the proposed
15 regulations qualify for a categorical exemption under the
16 California Environmental Quality Act.

17 This concludes my presentation. Are there any
18 questions I can answer?

19 CHAIRPERSON PEACE: The Comprehensive Trip Log,
20 when do we expect it, that will be available for long
21 hauls?

22 MR. CAMBRIDGE: We actually -- we'd have the
23 first shipment in, and we're going to be sending it out
24 probably the end of the month. We'd like to go through
25 the remaining manifests as much as possible. And this

1 will coincide with our training, which starts July 25th.

2 CHAIRPERSON PEACE: Great.

3 Thank you.

4 COMMITTEE MEMBER MULÉ: Madam Chair, I just want
5 to make a comment. I want to thank staff for all of their
6 hard work on this, and as well as you and your office. I
7 know this was a long arduous process, but it seems like
8 we're at the end of it. And I just want to thank everyone
9 involved.

10 With that, I'd like to move Resolution 2005-193.

11 CHAIRPERSON PEACE: And I'll second that.

12 And because we are finding that it is exempt from
13 CEQA, we can put these on consent; is that correct?

14 Okay. So we'll just put these on consent.

15 Again, thank you, Keith; thank you, Rubia.

16 CHIEF COUNSEL CARTER: Madam Chair, we need a
17 vote too?

18 CHAIRPERSON PEACE: Oh, I guess we need to vote.

19 COMMITTEE SECRETARY HUNT: Marin?

20 Mulé?

21 COMMITTEE MEMBER MULÉ: Aye.

22 COMMITTEE SECRETARY HUNT: Peace?

23 CHAIRPERSON PEACE: Aye.

24 CHAIRPERSON PEACE: Okay. With that, we'll pull
25 them on consent.

1 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

2 Agenda Item 9 is consideration of the grant
3 awards for the Household Hazardous Waste grants, the 14th
4 cycle, Fiscal Year 2005-6, Integrated Waste Management
5 Account.

6 Bonnie Cornwall and staff will make the staff
7 presentation.

8 MR. FINE: Good day, Madam Chair Peace and
9 Committee Member Mulé. As Jim said, I'm Spencer Fine.
10 And it is with great pleasure that I am presenting
11 Committee Item 9, consideration of the grant awards for
12 the 14th cycle, Household Hazardous Waste program for
13 Fiscal Year 2005-2006.

14 (Thereupon an overhead presentation was
15 Presented as follows.)

16 MR. FINE: The program criteria is broken up into
17 two parts, one that is driven by statute and one that is
18 recommended by staff with Board approval.

19 Statute requires that funding be focused on
20 rural, small cities, underserved areas, innovative or
21 cost-effective collection, as well as multi-jurisdictional
22 programs addressing regional needs.

23 --o0o--

24 MR. FINE: Discretionary criteria approved by the
25 Board in January focused this cycle on facility

1 construction and expansion as well as pilot programs for
2 universal waste given the forthcoming February 2006 ban on
3 universal waste being taken to the landfills.

4 In addition, this cycle is unique in that the
5 Board set aside \$200,000 for the Recycled Paint
6 Certification Project, which will establish national
7 guidelines for recycled paint. The Recycled Paint
8 Certification System is 1 of 11 prioritized projects by
9 the National Paint Product Stewardship Initiative and
10 memorandum of understanding recently signed by former
11 Governor -- pardon -- former California Environmental
12 Protection Agency Secretary Terry Tamminen.

13 --o0o--

14 MR. FINE: For the 2005-2006 grant cycle funding
15 is set at 4.5 million and is broken down as follows:

16 \$200,000 per jurisdiction, \$300,000 for regional
17 groups, and \$200,000 for recycled paint certification.

18 --o0o--

19 MR. FINE: The Board approved the scoring
20 criteria and evaluation process for the HD 14th cycle at
21 its January 2005 meeting. The approved scoring process is
22 a two-tiered system. In order to move on to the final
23 review, applicants must first be successful in attaining
24 at least 64 of the 80 possible points in the general
25 criteria section.

1 The second-tier scoring is for statutory and the
2 Board's discretionary priority criteria. Process and
3 outcome evaluation must be incorporated into each
4 proposal. During the grant term grant managers will
5 conduct grant evaluation reports in the middle of the
6 year, analyzing the strengths and weaknesses of the
7 grantee's scope of work and its results.

8 Also staff will provide technical assistance in
9 the form of best practices allowing grantees to run
10 programs efficiently.

11 Successes will be presented at the information
12 exchange workshops and the annual Used Oil and Household
13 Hazardous Waste Conference.

14 Cost effectiveness is strongly emphasized in the
15 scoring criteria. Accordingly, modifications to the grant
16 application budget were suggested by applicants.
17 Reviewers and applicants were asked to then submit a
18 revised budget.

19 --o0o--

20 MR. FINE: Twenty-six qualified applications were
21 received, requesting approximately 6.14 million in funding
22 of the available 4.5 million. Of the 26 applications, 21
23 applications received a passing score and requested
24 approximately \$5.2 million.

25 --o0o--

1 MR. FINE: As you all are well aware, the Board
2 now has the opportunity of working on a cutting-edge
3 project with the Product Stewardship Institute to develop
4 the Recycled Paint Certification System. Specifically the
5 certification system devised will develop a seal of
6 approval of the recycled paint's performance and content.

7 The Department of General Services has indicated
8 its biggest barrier to purchasing recycled paint is the
9 lack of any guarantee of the recycled paint's quality.
10 The project involves developing guidelines and performance
11 specifications for recycled paint, a system for certifying
12 specific recycled paint products, a summary of options for
13 testing and reducing market barriers, determining
14 certifications that can be achieved, establishing testing
15 protocol, arranging and executing tests, and attending
16 meetings of certifying organizations.

17 San Joaquin County successfully applied and has
18 recommended to lead this effort in collaborating with PSI,
19 and has engaged several key partners, including Cal Poly
20 San Luis Obispo. As well as Dunn Edwards Paints has
21 already pledged \$45,000 to support this and several of the
22 other research projects.

23 --o0o--

24 MR. FINE: The remaining 20 projects focus
25 primarily on infrastructure, be it permanent facilities or

1 temporary collection events. Staff also recommends
2 funding three grants focused on door to door and curbside
3 collection of universal waste for seniors and disabled
4 citizens, as intended by Legislature.

5 --o0o--

6 MR. FINE: The vast majority of the projects, 80
7 percent serve rural, regional or small cities. U-waste
8 will receive significant attention, as 66 percent of the
9 recommended grants address this waste stream.

10 These projects will also play a pivotal role in
11 assisting Special Waste staff in analyzing what works and
12 what doesn't for this emerging waste stream, which will
13 again be shared at our by monthly information exchanges
14 and conferences.

15 --o0o--

16 MR. FINE: After requesting the final budget
17 adjustments from applicants, our recommendation is just
18 shy of the \$4.5 million noted in this item. The City of
19 Encinitas' final budget was exactly \$358 less than
20 recommended by the review team and noted in BAWDS
21 Attachment 2. With your approval we will make the
22 revision before the Board meeting next week.

23 In closing, staff respectfully requests that the
24 Board approve Option No. 1, which will fund 21 grants
25 recommended at a funding level of \$4,499,642 and adopted

1 Resolution No. 2005-192, which will be revised to reflect
2 the decrease of \$358.

3 If there are any areas of concern, staff is
4 available to address them at this time. Thank you.

5 CHAIRPERSON PEACE: We have a couple speakers on
6 this item.

7 Alan Abbs.

8 MR. ABBS: Good morning, Madam Chair. My name's
9 Alan Abbs. I'm the Solid Waste Director for Tehama County
10 and also a solid waste specialist for the Environmental
11 Services Joint Powers Authority. And I just wanted to
12 stand up and briefly give my support, not only to the
13 ESJPA application, but also to the application for Tehama
14 County as well as Amador, Mono, and Modoc counties and any
15 other rural counties that I may have forgotten.

16 And as staff mentioned, the HD 14 grant cycle did
17 give some preference to rural and underserved in the small
18 city applications, and the ESJPA and all the rural
19 counties are thankful that we did get consideration. And
20 it looks like this grant cycle will be very helpful to
21 rural counties.

22 Thank you.

23 CHAIRPERSON PEACE: Thank you.

24 Okay. And I'm sorry if I don't say this right.
25 But it looks like Cedar Kehoe.

1 MS. KEHOE: That's correct, Cheryl. It's Cedar
2 Kehoe.

3 I'm Cedar Kehoe, and I'm the Integrated Waste
4 Program Manager with the City of Elk Grove. I'm here
5 because I'm actually very disappointed in the outcome of
6 the product -- the review of the grants.

7 Let me say first that we believe the City of Elk
8 Grove should have won funding to build a permanent
9 household hazardous waste facility.

10 The City of Elk Grove incorporated in 2000. The
11 Elk Grove population ranked a healthy 72,000 residents.
12 The city's population is projected to more than double in
13 the next 25 years, to over 183,000 people. According to
14 the California Department of Finance, Elk Grove's
15 population totaled 131,000 in January of '05, which means
16 it is the 46th largest city in the state.

17 We put in a grant that would request that we have
18 dollars spent for designing a facility, outreach to our
19 general public, as well as funding for a consultant to
20 help us figure out how to fund the program on an ongoing
21 basis. And we received no funding.

22 At the same time we noted that other counties
23 such as Ventura County and San Bernardino County have
24 already received up to a million dollars in grant funding,
25 and our city's received nothing.

1 We feel that the grant is a reasonable grant.
2 When we called we were told the reason we did not get
3 funding was because our grant requested dollars for, in a
4 sense, the planning stages, not the actual construction.
5 And they were concerned about our commitment. The city
6 has put in a million dollars to buy the land. I consider
7 that a very significant commitment from the city, and is
8 asking for help for a long-range plan that would provide
9 support to all of our residents.

10 We currently have the privilege of using the City
11 of Sacramento's facility. But they have voiced that this
12 is a short-term arrangement, that we are growing too
13 quickly to continually be at their facility. And we would
14 like you to reconsider the position that was placed with
15 the City of Elk Grove and consider funding that division.

16 Thank you.

17 GRANTS AND CERTIFICATION SECTION SUPERVISOR

18 CORNWALL: I want to thank Cedar for bringing that point
19 of view before the Board.

20 Approximately a year and a half ago we brought
21 before the Board an item that talked about changes that we
22 might look at in the HHW Grant Program based on what we
23 were seeing out in the community. And one of the things
24 that was discussed at that time was the need to help
25 jurisdictions plan for facilities. But based on what was

1 expressed at that point in time, we decided to retain the
2 focus -- and as criteria items were subsequently brought
3 to the Board, to retain the focus on the construction of
4 building infrastructure and focusing on U-waste.

5 However, during the -- after the review
6 process -- and we always conduct a debriefing of the grant
7 cycle to see, you know, what emerged, what kind of
8 challenges that are really worthy. And this project is
9 one of our benchmark proposals. And so it received a
10 review by every single reviewer. And as you may recall
11 from the process, only two grants are reviewed during the
12 benchmark process. So there was really a lot of
13 discussion about this particular grant.

14 We are in the midst of a process right now,
15 working with the Executive Office, of looking at each of
16 our grant programs and making suggestions, somewhat
17 radical suggestions, if you will, about how to change
18 these grants in the future. And this is exactly one of
19 the things we'll be bringing forward to the executive
20 staff and ultimately to the Board.

21 In general, you have -- capital outlay projects
22 have a budget of at least five years. IWMA money is not
23 capital outlay money, so you -- by the time you get the
24 grant you have about two and a half years, which for many
25 jurisdictions is too tight of a timeframe to really finish

1 construction of a facility. One of the things we will be
2 looking at and exploring the logistics of is in fact
3 putting forth the notion of planning grants, and Elk Grove
4 would be a prime example of that, where there is a
5 definitive commitment on the part of their jurisdiction.

6 And I want to say that my staff never -- I mean
7 she may have interpreted that way, but it was not a
8 criterion of these grant review cycles to see are they
9 committed or not. The criterion was how much HHW will be
10 collected as a result of this project. And in this case,
11 you know, it would be none.

12 So I think we will be really looking very
13 seriously at and ask you to consider when we bring the
14 criteria item approximately next -- early next year to
15 look at how we might fund planning grants such as this to
16 help those jurisdictions that do not yet have facilities.
17 She commented about some of the grantees, namely, San
18 Bernardino County, who have already received some funding.
19 Those programs were funded a number of years ago. And
20 with the increase and emphasis on U-waste, they need to
21 expand their facilities.

22 COMMITTEE MEMBER MULÉ: Madam Chair?

23 Thank you.

24 The question I have is: Since there have been so
25 many facilities that have been designed and constructed,

1 is there any way that we -- our staff can provide
2 technical assistance to the City of Elk grove in terms of
3 design work? So that -- you know, so that instead of
4 getting a grant, you'll get the technical assistance. So
5 that's -- you know, I'm wondering if we can't do that as
6 an interim measure before, you know, we look at --

7 GRANTS AND CERTIFICATION SECTION SUPERVISOR

8 CORNWALL: Well, as an example, during our last year's
9 conference a year ago we did just that. We had a full day
10 training session on how to plan facilities. And that's,
11 again, one of the things that we're talking about, maybe
12 to most facilitate a planning process we actually have
13 those jurisdictions who are interested, you know, work
14 through a very detailed kind of planning process, so that
15 all the, you know, i's are dotted and t's are crossed.

16 In terms of can we actually provide the technical
17 assistance now. With existing staff resources we don't
18 have any architects on our particular staff. We can help
19 them certainly identify other similar communities, you
20 know, based on how much money they have available and how
21 much land. We're working with Department of Toxics to do
22 an inventory and actually segment all the HHW facilities
23 so we can provide that kind of assistance.

24 COMMITTEE MEMBER MULÉ: Right. I think that that
25 would be -- I don't know, you could tell me, Christine, if

1 that would be helpful to you as a start.

2 MS. KEHOE: The reality is that the step we're at
3 now really needs an architect, and the Waste Board doesn't
4 provide that level --

5 COMMITTEE MEMBER MULÉ: So you need an architect?
6 I mean --

7 MS. KEHOE: Well, yes. But those are big ticket
8 costs. I mean this is going to be a multi -- this will be
9 a million dollar facility. You know, it's a level that is
10 a real cost. I mean some of the outreach, certainly Waste
11 Board staff could help us do that. But we're pretty
12 familiar on what -- I ran the San Francisco's household
13 facility for a number of years, so I'm pretty familiar
14 with what task would be. I'm a little concerned because I
15 know some jurisdictions did get some planning dollars,
16 along with construction dollars, so there -- I'm concerned
17 about that as well. As well as some of the facilities
18 have been built and they never even operate, because the
19 Waste Board never -- not the Waste Board -- excuse me --
20 the jurisdiction never figured out how those facilities
21 would be funded in the long run. So you've got these
22 facilities built and they're not being used.

23 So I think there are some issues with the grant
24 cycle and what it's paying for and what it's not paying
25 for. So I think reevaluating that would be a really good

1 idea.

2 COMMITTEE MEMBER MULÉ: Right.

3 Thank you.

4 CHAIRPERSON PEACE: We'll have that to look at in
5 the next scoring criteria the next -- as we look at that
6 again.

7 But when you say we need an architect, as Board
8 member Mulé kind of suggested, are there any household
9 hazardous waste facilities that have already been built
10 where you could actually say, "This will fit the plan we
11 had. Could we use your plans?"

12 MS. KEHOE: Sure, we've looked at them. But we
13 literally bought land. So we have to have it specific for
14 our land. I agree -- and we've looked at lot of those
15 drawings. In fact, we've met with a number of the people
16 who have built them and we've looked at those drawings.
17 But you're still going to have to have a site-specific
18 drawing drawn by an architectural firm.

19 I don't disagree. That's very valuable, and we
20 have gotten some of that information, because we don't
21 want to recreate the wheel. We're absolutely going to
22 copy the wheel, frankly. If it's rolling, roll with it.

23 (Laughter.)

24 CHAIRPERSON PEACE: Okay. Well, thank you for
25 being here.

1 So if Elk Grove would have put in a grant for the
2 construction and not for the planning, then they would
3 have had a better chance of getting funding this time?

4 GRANTS AND CERTIFICATION SECTION SUPERVISOR

5 CORNWALL: Yes, because there were priority points given
6 for construction of facilities and in terms of the
7 evaluation and cost effectiveness. And, you know, again
8 we look at how much HHW is collected for dollar expended.

9 CHAIRPERSON PEACE: Well, I wish we had enough
10 money to fund every single project.

11 Do you have any other questions?

12 COMMITTEE MEMBER MULÉ: Yes I do. Thank you,
13 Madam Chair.

14 First of all, I am very pleased to see that
15 two-thirds of these projects address U-waste. I was just
16 at a California Resource Recovery Association conference
17 yesterday and was making a presentation on 939. But
18 someone brought up the question about this very issue and
19 how -- what are we doing to address the public
20 notification and the public outreach. And I thought that
21 that was a very, very good question to ask, because here
22 we are, it is July of '05, we've got these regulations
23 coming down in February of '06, and I think that this is a
24 project that our Public Affairs folks needs to be involved
25 with in terms of getting the word out and working jointly

1 with DTSC on this.

2 So I don't know if we are doing anything. But
3 this is -- you know, the question that was posed was, you
4 know, what happens, you know, after February when folks
5 put that fluorescent tube in their trash. And, you know,
6 very good question. And, you know, so my on-the-spot
7 quick answer was, "Well, we are working with DTSC." So I
8 certainly hope that what I said was true, that we are
9 working with them.

10 But, again, I think it's a large enough issue.
11 We are focusing on it via our grants. But I certainly
12 hope that we are addressing it from the public
13 notification, public outreach as well.

14 DEPUTY DIRECTOR LEE: Yes, Board --

15 CHAIRPERSON PEACE: Maybe Jim can give us a
16 little update --

17 DEPUTY DIRECTOR LEE: Yes, I can, like I said.

18 Board Member Mulé, yes, we are, you know, working
19 actively on this particular issue. The Board, you know,
20 directed us to look at various action plans developed, you
21 know, to look at various high priority areas that they
22 would like us to address. One of the ones that we're
23 working on again is one for universal waste. We are
24 working very actively with DTSC there. In fact, we will
25 be participating in a series of workshops next month that

1 DTSC is sponsoring again to, you know, take a look at the
2 February 2006 deadline. And, you know, not only the
3 things that have been done and will be done, you know, to
4 comply, you know, with that deadline.

5 And so -- and, again, I think it's -- as this
6 particular item notes, you know, the Board has been
7 putting its money where its mouth is, you know, for a
8 number of years. We've focused these various grant
9 programs -- the HHW programs in the last couple of cycles,
10 you know, on universal waste, you know, to try and get and
11 stimulate a program development in the communities.

12 So we have been doing work here. We've got
13 ongoing work. And, again, we are doing the longer range
14 planning to look at the situation beyond February 2006.

15 COMMITTEE MEMBER MULÉ: Great. Thank you, Jim.

16 And, again, I just want to stress how important
17 the public notification and the public outreach component
18 of this is. I mean, again, I'm very, very pleased to see
19 that we are allocating a large portion of this money to
20 address the U-waste. I just want to make sure that the
21 public knows what we're doing and that those resources are
22 available to them.

23 Thank you.

24 DEPUTY DIRECTOR LEE: As one final note on that
25 again, I think -- Board Member Mulé, I think you were at

1 the HHW conference. Again, we had, you know, training
2 seminars specifically on this topic. We have our
3 bimonthly household hazardous waste exchanges, you know,
4 where we are, you know, continuing to utilize that venue
5 as a way of seeing what the jurisdictions are doing,
6 encouraging them to do more.

7 So, again, I think the outreach component, you
8 know, is being covered.

9 COMMITTEE MEMBER MULÉ: Good. Thank you.

10 CHAIRPERSON PEACE: I just had a question on
11 the -- what do you actually call it? I want to call it by
12 its proper name here. The paint certification item. I
13 mean I think that's great, if we want to get more recycled
14 actually used, that we do need to do this. But in the
15 item it said that there were 11 priority projects, and
16 this is 1.

17 Do we have any idea what the other 10 are,
18 that --

19 GRANTS AND CERTIFICATION SECTION SUPERVISOR
20 CORNWALL: Absolutely. And, in fact, if somebody could
21 bring up, there's a handout at the back of the room, it
22 looks like this -- and if I could ask someone to bring
23 those forward -- that describes the 11 projects being
24 funded on the national level. Six of them have already
25 begun. Two of them are dependent on the results of this

1 project.

2 So for all intents and purposes, they're all
3 moving forward, have received industry support. As we
4 noted in our presentation, Dunn Edwards has put in money
5 that's helping this project kind of move along. So I
6 think the project is moving along very effectively. We
7 will continue to provide you updates on what's going on in
8 that regard.

9 CHAIRPERSON PEACE: Heidi, well, I haven't had a
10 chance to look at this. Can you just tell me a couple of
11 other things that you think are really important of these
12 11 items that --

13 Of the 11 projects?

14 CHAIRPERSON PEACE: Yeah, they're working -- you
15 said they're already working on a couple of them. Can
16 you.

17 MS. SANBORN: Yeah, I think of the markets
18 projects, this is the most important, because we can't get
19 recycled paint listed in the Green Building programs
20 unless they have certifications. I was talking to people
21 at the CRRRA conference yesterday, and they were saying
22 that as far as green building goes they're all going for
23 low VOC virgin, but they're not going for any recycled.
24 And I kept saying, "Well, it's the highest and best use
25 for paint, to make it into paint." And they said, "Well,

1 there's no certification that proves that it performs or
2 it's safe.

3 So we can't put it out there because we're afraid
4 it has mercury and it has the heavy metals." So they were
5 very encouraged to hear that the Board was looking at the
6 Recycled Paint Certification Project, because they'd like
7 to use it in green building. And that fits in with the
8 Board's Green Building Group, so I thought that was a nice
9 tie-in.

10 Another really important project is the life
11 cycle work group. We're doing a full life cycle analysis
12 on recycled paint and the various options to use it,
13 whether it be making it into recycled paint or disposing
14 of it or making it into a concrete product or some other
15 product. Because the industry managers are saying, "We'd
16 love to be able to fully support this whole thing. But we
17 really want to know scientifically what is the highest and
18 best use, what are the cost benefits of the different
19 options?"

20 And that's a really, we think, a very good thing
21 to do, is to look at the full life cycle. So we're doing
22 a life cycle analysis, and hiring firms to do that now
23 actually, and a cost-benefit analysis.

24 And another major project I think is the
25 infrastructure project. The cost to manage paint right

1 now is about \$8 a gallon. And that's clearly not going to
2 be sustainable. The increase in paint has been 23 percent
3 coming into the HHW facilities. The state's buying 50
4 percent less recycled content paint than it did three
5 years ago. So all this put together, we do not have a
6 sustainable system and it's going to start falling apart.

7 And actually when Rosalie and I were out at
8 the -- I'm sorry -- Ms. Mulé and I were out at the HHW
9 facility at the County of Sacramento last year, they were
10 actually recycling the paint and bringing it to Amazon
11 Paint down in Whittier. They are now disposing of it in a
12 landfill, can and all. So the steel's lost, the
13 titanium's lost, everything's lost. So we really do kind
14 of have a -- we're on the verge of really being in trouble
15 here as far as markets for the paint and having it
16 properly managed.

17 So the infrastructure project is going to look at
18 a more cost-effective way to collect the paint and then
19 put a cost to it nationally, so that we can then
20 discuss -- October 1st of next year the industry has
21 agreed through the MOU to sit down and actually talk with
22 the 31 states that are parties to this and say, "Okay,
23 we've got the answers to all these questions in the
24 projects.

25 Now, how do we go ahead and determine a

1 sustainable leftover paint management system for the whole
2 country?" And we're calling it nationally coordinated,
3 because there will be regional differences and we want to
4 identify that that is the case. And that's market
5 dependent, depending on who their local markets are.

6 But there's a lot of really good projects here.
7 And actually this is the boiled-down version. We had 25,
8 is what we started with. So they actually boiled it down
9 to 11 and \$1.2 million worth of projects.

10 CHAIRPERSON PEACE: So it does look like from
11 this there are other state governments that are putting in
12 money besides California to do some of these projects?

13 MS. SANBORN: Actually per capita I think Iowa
14 beat us, because they put in 50,000. So that was pretty
15 good for little Iowa.

16 CHAIRPERSON PEACE: Okay. Thank you.

17 GRANTS AND CERTIFICATION SECTION SUPERVISOR

18 CORNWALL: Let me also add that the project for San
19 Bernardino falls very nicely into that paint
20 infrastructure model. San Bernardino has piloted a
21 program for actually recycling the paint on site and
22 reusing it. And they've been doing that for a couple of
23 years, won an award statewide for a public administration
24 employee taking the initiative. And they will be further
25 refining that project. They're probably the leading

1 example locally, certainly within California, to show how
2 it can be done in a very cost-effective manner. So I
3 think the results from that project, which is funded out
4 of this HD 14 cycle, will go a long way to helping that
5 infrastructure project as well.

6 CHAIRPERSON PEACE: Yes, this is a great thing
7 that needs to move forward. Isn't it like 60 percent of
8 all the household hazardous waste collection costs is
9 in -- is the paint?

10 GRANTS AND CERTIFICATION SECTION SUPERVISOR

11 CORNWALL: (Nods head.)

12 CHAIRPERSON PEACE: Okay. Great.

13 Thank you, Heidi.

14 COMMITTEE MEMBER MULÉ: And, Madam Chair, another
15 thing. When Heidi and I were at the meeting with some of
16 the paint manufacturers -- you know, one of the
17 frustrations is is we've got some companies out there that
18 are producing a quality product, I mean as far as I know,
19 but they're frustrated because we do have a law, a
20 regulation on the books where we're required to
21 purchase -- if you want to discuss this a little bit,
22 Heidi. And as Heidi mentioned earlier, you know, DGS is
23 purchasing less and less of the recycled paint. And it is
24 an issue. And I know that Board Chair Marin was going to
25 talk with Fred Aguiar, Secretary of Consumer Services,

1 about this issue. Because, again, here's an opportunity
2 for -- you know, for us -- we're probably one of the
3 largest users or potential users of recycled paint. And
4 yet, you know, we've got -- our sister state agencies are
5 not, you know, coming up and doing their part in terms of
6 purchasing and using it.

7 MS. SANBORN: That's a very important point. And
8 the requirements, as I understand it, is that fitness and
9 quality being equal, the state will buy 50 percent of
10 their paint that's recycled. And that would be 50 percent
11 recycled content. The problem is, the fitness and quality
12 being equal, because we have no certification that proves
13 that, that's their out. And I was talking to Dan Burgoyne
14 at DGS las week. And I was trying to re-engage him in a
15 dialogue and kind of begging him to come back and help us
16 on this project, because he's been very busy on green
17 building. And he made the parallel between this and the
18 carpet MOU, because he said they're developing
19 certifications for the recycled content carpet and they're
20 going to be allowed -- I guess the way the law is is DGS
21 can require that the state agencies buy it if they have
22 these certifications. That's a possibility for paint as
23 well, which would be a huge boon for the market.

24 COMMITTEE MEMBER MULÉ: So that's why this
25 project is so important --

1 MS. SANBORN: It's critical of creating the
2 market demand and market pull and keeping the jobs here in
3 California. We've got three recycled paint manufacturers.
4 They're right on the edge of losing it. And, you know,
5 we've already lost one in the Midwest I think two months
6 ago. And the one that -- Canadian firm wanted to site in
7 Whittier, that was where they found that the economics
8 work best. But because of regulatory things, they sited
9 in Mexico. And that should be opening up soon.

10 But we really do need this project. And the Cal
11 Poly professors are absolutely perfect to do it. And
12 we're keeping the money in state and using our students.
13 They have the only Masters program west of the Mississippi
14 in a chemistry department for painting coatings.

15 Thank you, Heidi.

16 CHAIRPERSON PEACE: How long do they expect
17 this -- before we have the results from this project? And
18 then we can move forward.

19 MS. SANBORN: I believe we expected this to be
20 completed by the end of September next year. We're hoping
21 to get it done sooner, but it really depends on the work
22 and what we come up against.

23 The professors are busy working on it right now.
24 Dunn Edwards has put in \$45,000. And so -- and Portland
25 Metro has also contributed money to this project. So

1 they've already been working on it. The professors
2 actually were on the phone with me this morning. They're
3 talking to the Master Painters Institute about doing the
4 performance certification now.

5 CHAIRPERSON PEACE: Okay. Great.

6 MS. SANBORN: Thank you very much.

7 CHAIRPERSON PEACE: Thank you.

8 COMMITTEE MEMBER MULÉ: Madam Chair, with that
9 I'd like to move Resolution 2005-192.

10 CHAIRPERSON PEACE: Second.

11 And with no objection, we'll substitute the
12 previous roll.

13 And we'll put this on fiscal consent.

14 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

15 CHAIRPERSON PEACE: And, Spencer Fine, you did a
16 fine job.

17 DEPUTY DIRECTOR LEE: Madam Chair, Item No. 10 is
18 the presentation of findings on Phase 2 of the
19 Do-It-Yourself Oil Changers Research, Fiscal Year
20 2001-2002 Used Oil Recycling Fund Contract C2014.

21 Madam Chair, I'm very pleased to present this
22 item. This is a continuation of our commitment -- or
23 manifestation of our commitment that we made to the Board
24 back in November of 2004 when we brought forth our used
25 oil allocation item and our Used Oil Program

1 Implementation Plan. At that time we indicated that we
2 would keep the Board appraised of developments in the
3 program, things of interest. And this is something that
4 in the last few months -- I know that Board Chair Marin
5 has discussed some interest with regards to the curbside
6 program and how that might be expanded, you know, to
7 consider the collection of additional oil.

8 I know this particular presentation we're going
9 to have a contractor, Dr. Rufus Browning, which will be
10 speaking. He presented parts of this at our Used Oil
11 Conference. I know Board Member Mulé was there. And we
12 listened attentively, you know, to the presentation, which
13 we found it to be very interesting. And we thought that
14 again we wanted to, you know, share this with the entire
15 Committee.

16 At the conclusion of Dr. Browning's remarks again
17 I'm going to have staff -- you know, we've got some
18 additional things we'd like to bring to the Board's
19 attention again to put that study into perspective and to
20 show you what steps that we're taking again to implement
21 some of the major findings out of that research.

22 So with that I'll turn it over to Bonnie.

23 GRANTS AND CERTIFICATION SECTION SUPERVISOR
24 CORNWALL: And I'd like to introduce our Staff Member
25 James Herota, who will be presenting the presentation.

1 (Thereupon an overhead presentation was
2 Presented as follows.)

3 MR. HEROTA: Good morning, Madam Chair and Board
4 Member Mulé.

5 I'll be presenting the agenda item for the
6 presentation of the findings on the Phase 2, the
7 Do-it-Yourself Oil Changers Research.

8 --o0o--

9 MR. HEROTA: Before we hear from Dr. Browning,
10 let me first provide some context for the Used Oil
11 Program.

12 The California Oil Recycling Enhancement Act
13 created the program in 1992, and outlined a series of
14 activities that the Board now conducts, including the
15 grant programs and certified collection centers. The
16 purpose of the Act was to reduce illegal disposal of used
17 oil as well as its recycling and reclamation to the
18 greatest extent possible.

19 --o0o--

20 MR. HEROTA: In response to that mandate the
21 Board contracted with Dean & Black in 1994 to survey
22 households and gain information necessary for the
23 effective campaign targeting DIYers, Do It Yourselfers.

24 Primary findings included defining the DIYer
25 population and necessary measures for implementing a used

1 oil collection program through governments.

2 A second study in 2001 was conducted by Dr. Rufus
3 Browning of the Public Research Institute within the San
4 Francisco State University. That project provided updated
5 information on DIYer disposal rates, media use, and where
6 DIYers are located.

7 In order to dig deeper into the 2001 survey and
8 project it forward into 2004, the Board again contracted
9 with the Public Research Institute within San Francisco
10 State University, Rufus Browning, the primary researcher,
11 who I'd like to now introduce so you can -- so he can
12 present his findings.

13 Following his presentation I'll summarize some of
14 the actions taken by the Used Oil Program in response to
15 the new findings. And we'd like to hold all questions
16 until both Rufus and myself have concluded.

17 On that note, Rufus.

18 DR. BROWNING: Thank you, James.

19 Madam Chair and Board Member Mulé. Thanks for
20 this opportunity to present the fruits of my work about
21 used motor oil. As distinguished from used midnight oil,
22 which I have been reusing faithfully lo these many years.

23 --o0o--

24 DR. BROWNING: If I could revisit the fundamental
25 characteristics of the data in the 2001 statewide survey.

1 Had about 420 non-DIY households for comparison purposes,
2 761 DIYers. And they included 111 shade-tree mechanics,
3 who change oil for people outside their own household.
4 Most of them change only a few gallons a year, but some
5 change dozens of gallons, some change hundreds of gallons
6 of oil and dispose of hundreds of gallons of oil per year.

7 Interviewed in June and July of 2001 about their
8 oil changing practices, including illegal disposal in
9 2000-2001. And those are the data that underlie the
10 patterns and the relationships that I'm going to be
11 talking about.

12 And now, as James mentioned, we projected that
13 forward on to 2004 population for comparison with the
14 '03-'04 oil and filter collection data that the Board
15 maintains.

16 --o0o--

17 DR. BROWNING: Topics of the many that I deal
18 with in my report I'm going to deal with today:

19 I'm going to talk about shade tree mechanics;
20 curbside pick up versus DIYer drop-off centers, which is
21 better. And I've just recently in the last couple of
22 months been able to estimate the volumes of oil that might
23 be recoverable if, for example, we were to make all
24 collection centers very convenient from the point of view
25 of DIYers; or, alternatively, if we were able to extend

1 curbside collection to 90 percent of households in the
2 state; and then a couple of other smaller programs that
3 also would pick up some interesting amounts of oil.

4 --o0o--

5 DR. BROWNING: Shade tree mechanics dispose of
6 really tremendous amounts of oil relative to the normal
7 run of DIYers who change oil only for their own household,
8 six times as much on average (38 versus 6 gallons a year).

9 --o0o--

10 DR. BROWNING: Total oil disposed in '03-'04 as
11 drained liquid oil: Shade tree mechanics, 13 million
12 gallons, a little over half of the total oil I estimate,
13 out of a total of 24.4 million gallons of drained liquid
14 oil.

15 I'm using that phrase, drained liquid oil, to
16 distinguish it from the oil that's left in the empty
17 containers, new oil, and the oil that's remaining in the
18 filters, which is also a significant amount. This is the
19 stuff that they have in liquid form. And they want to get
20 rid of it somehow. And lots of them unfortunately take
21 the easy and convenient way out, which is to let it drain
22 on the ground or into a gutter or throw it in the trash.
23 As one respondent said, "I know I'm not supposed to put it
24 down the gutter, so I flush it down the toilet." And
25 that's also a possibility.

1 If we look at the estimated oil not collected in
2 2003-2004, I estimate that shade tree mechanics were
3 responsible for nine and a half million gallons of that
4 total almost 14 million gallons.

5 So the data lead me to believe that shade tree
6 mechanics are probably disposing improperly, I think
7 illegally, of the lion's share, a very large share of the
8 total oil that is not collected. It may not be exactly 69
9 percent. We don't have enough shade tree mechanics in the
10 data to be able to have a very narrow confidence interval.
11 It may be 50 percent. It may be 80 percent. It's a lot
12 of oil. It's a big part of the total.

13 --o0o--

14 DR. BROWNING: Well, if we then look at the size
15 of this group of shade tree mechanics, in total there are
16 about a third of a million shade tree mechanics. But
17 those who are engaging in 10 or more shade tree mechanic
18 oil changes per year, a little over a hundred thousand
19 constituting 6 percent of all DIY households and 1 percent
20 of all households in the state. So it gets to be a pretty
21 small group spread pretty thinly over the state. A
22 hundred twenty-four thousand is a lot of people if you
23 pull them all together at once. But if you spread them
24 out all over California, they can be kind of hard to find.

25 --o0o--

1 DR. BROWNING: Implications. Shade tree
2 mechanics account for most of the disposed oil that is not
3 collected. You're not doing the job. I mean -- I'm using
4 that "you" in the colloquial sense. We're not doing the
5 job unless we collect the oil generated by shade tree
6 mechanics. And existing programs, I believe the data show
7 miss most of the shade tree mechanic oil and most of the
8 oil altogether.

9 And, finally, high-volume shade tree mechanics, a
10 group that we would dearly love to find and be able to
11 collect their oil, are relatively rare.

12 --o0o--

13 DR. BROWNING: All right. Let's turn to curbside
14 pick up and DIYer drop-off. Which is better? A better
15 used oil program in my terms is one that's more effective.
16 A more effective program means it reduces improper
17 disposal more than less effective programs.

18 --o0o--

19 DR. BROWNING: This is out of order. Oh, maybe
20 you took out a couple of my graphs.

21 Okay. Never mind. Here we are.

22 This graph shows essentially that the more
23 available -- making curbside collection more available
24 reduces illegal disposal more than making collection
25 centers more convenient. Now, the top line is the

1 predicted probability of improper disposal for DIYers who
2 do not use curbside pickup. That means they really don't
3 have it available to them. Because if you have curbside
4 pickup available to you, you use it. That's clear.

5 Both program centers, the blue line; curbside,
6 the red line, reduce illegal disposal a great deal. The
7 blue line drops, but it still is above predicted
8 probability of .4 of improper disposal. The red line, the
9 curbside line, drops from just below .6 down to 0. That
10 is, in counties where curbside pickup is widely available,
11 the people who have it, that is the people who do not take
12 their oil to centers, they're illegal disposal rates drop
13 to 0.

14 So both programs have a significant impact on
15 illegal disposal. But curbside does better in this
16 specific sense: Availability of curbside reduces illegal
17 disposal more than increasing convenience centers.

18 I'm going to stay with this graph for just a
19 moment and use this to focus your attention on two
20 different approaches. One approach is to try to make the
21 centers more convenient. And really this is the approach
22 that's been the primary path on which partly the Board but
23 especially localities -- as you know, getting DIYers to
24 take their oil to centers is the thing that -- the program
25 that most localities have.

1 So one program alternative which people have been
2 pursuing and really engaging in a long-term experiment,
3 the outcome of which maybe isn't finally known, is to try
4 to push more and more DIYers down toward this category,
5 this level of very convenient centers. Unfortunately, If
6 you look at that, you see, gosh, even where centers are
7 very convenient, let me tell you something, it's not as
8 convenient as throwing it in the trash. That's the
9 problem. We have such good trash collection, that we make
10 it so convenient to dispose of oil that way, that people
11 are still doing it that way.

12 The other alternative is to try to take these
13 folks who are presently using centers and move them down
14 here. Well, that's -- you see, there's a bigger drop.
15 Just in terms of the visuals here, there's a bigger drop
16 in the probability of improper disposal from the centers
17 folks down to the curbside.

18 --o0o--

19 DR. BROWNING: Now older DIYers are much more
20 likely to report using curbside collection. And here I'm
21 going to point up a shortcoming of the curbside collection
22 program. When we asked them, "Have you put your oil out
23 for curbside pickup in the past year" and "How many
24 times?" those who said at least once, 40 and older, 15
25 percent; under 40, 7 percent. So the current curbside

1 programs favor older DIYers. But younger DIYers dispose
2 of much more oil, including shade tree mechanics here as
3 part of the DIYer group. So curbside collection, though
4 it's wonderful at reducing improper disposal to zero for
5 those who have it, isn't really targeting a large group
6 that has the most oil. That's a problem.

7 --o0o--

8 DR. BROWNING: Well, which is better? We can say
9 clearly that curbside pickup is better at reducing illegal
10 disposal to the greatest extent possible where it is
11 available. That phrase of course is a quotation from the
12 "legislative intent" paragraph of your act, the California
13 Auto Recycling Enhancement Act.

14 Zero illegal disposal is greatest extent
15 possible. Curbside pickup meets that standard. Can DIYer
16 drop-off programs meet it? And I think that's -- I think
17 it's doubtful that they can, or doubtful that they can do
18 it at any reasonable cost. Why? Because you've really
19 already picked the low hanging fruit, if I can mix a
20 metaphor with used oil. You've gotten the folks who are
21 easy to persuade. The next 40 percent are going to be
22 much more difficult to persuade. I've seen them in focus
23 groups. They just stand their ground. They get all the
24 disapproval from other folks in the group, and they just
25 stand their ground and say, "You know, once I go get the

1 oil and I take it home, I change it, I'm not going to do
2 another errand then, drive a mile to the center and stand
3 in line maybe for 10, 15, 20 minutes. Forget it. It's
4 not worth it. It's just a little oil. And besides" -- as
5 some will argue -- "oil comes out of the ground. It
6 should go back into it."

7 --o0o--

8 DR. BROWNING: So the challenge -- I know it's
9 primitive thinking, but it's out there.

10 The challenge for curbside is to extend it to
11 single-family dwellings across the state, I think; and,
12 secondly, to make it available to residents of
13 multi-family dwellings. I make that distinction for an
14 obvious reason about the different ways in which waste
15 hauling and collection and management is handled for
16 single and multi-family dwellings. And the fact is of
17 course that curbside is now available almost entirely only
18 to single-family dwellings. Though some folks are
19 experimenting with that multi-family dwellings.

20 For centers and DIYer drop-off, well, you know
21 the score there, to try to make them much more convenient
22 and to greatly increase DIYer commitment to recycling. As
23 I said, I think that's not very -- you can make centers
24 more convenient to a certain extent, but I think there are
25 limits there as well, limits of distance and the cost of

1 provision and so on, and also problems of -- as I say, of
2 getting much more DIYer commitment to overcome the
3 essential inconvenience.

4 --o0o--

5 DR. BROWNING: Okay. Let's look at oil recovery.
6 Estimated, which program of these two alternative
7 programs -- and these are -- these figures here are
8 really -- they include the same oil, if you will.

9 Making collection centers very convenient for
10 every DIY household in the state would collect about 3 1/2
11 million gallons beyond what you're collecting already.

12 On the other hand, extending regular curbside oil
13 pickup to 90 percent of the households now without it
14 would collect about 12 1/2 million gallons.

15 By the way, these estimates are just out of the
16 last couple of months. And this whole structure of data
17 and the ability to make these predictions of improper
18 disposal is just out of the last eight or nine, ten months
19 of work. So these are very recent findings and not
20 something that members of the Used Oil Program have had
21 available to them in this clear form for very long.

22 --o0o--

23 DR. BROWNING: Other oil recovery estimates in
24 millions of gallons per year. If you were able to collect
25 all the empty new oil containers and extract all of their

1 oil, it would be a little over a million gallons. Worth
2 doing. I don't want those million gallons to be in the
3 trash each year. Or to collect all the filters and
4 extract all their oil, a little over two million gallons.

5 --o0o--

6 DR. BROWNING: From the data -- it's not my job
7 to take into account all of the considerations that you
8 folks have to face or that local programs have to face.
9 But I would recommend, from the data, extend curbside
10 pickup to single family dwellings statewide to the extent
11 possible, and to multi-family dwellings statewide. A lot
12 of work to be done there. A lot of difficult steps,
13 barriers, problems, institutional problems, legal
14 problems, things to be overcome. But I think that's where
15 the data suggests it would be worth going.

16 And certainly to implement programs that meet the
17 needs of shade tree mechanics; in particular, avoiding
18 highly restrictive volume limits. You're not going to
19 catch the shade tree mechanic oil if you have strict
20 volume limits. They have larger volumes that they need to
21 get rid of somehow. And if you don't provide it, some of
22 them are going to decide to take the easy way out, the
23 illegal way out.

24 For the remaining households, obviously you've
25 got to improve convenience of drop-off, if you can, and

1 strengthen commitment. But at the bottom, as you get
2 down, try to push that improper disposal rate down
3 farther, you may have to consider enforcement measures
4 because there's a lot of resistance.

5 --o0o--

6 DR. BROWNING: I'd like to just say a word --
7 this doesn't come out of my data -- a word though about
8 cost, because I've been talking to people about these
9 programs and the costs of doing them for years now and
10 heard so much from local program people and from the staff
11 of the Used Oil Program, and benefited so much from that.
12 And it occurred to me that the -- what's often been cited
13 to me as a reason for not doing curbside pickup is that
14 cost per gallon collected is just far too great and far
15 greater than the centers programs, DIYer drop-off
16 programs, of where obviously DIYers are providing a lot of
17 the labor. But I think that's really a misleading figure.
18 One program I think is demonstrably effective in a way
19 that the other is not.

20 I know that the centers programs have been
21 effective at collecting millions and millions of gallons,
22 but they're not effective enough. They're not effective
23 enough at getting improper disposal down to zero, that is,
24 to the greatest extent possible. And the appropriate
25 criterion I believe would be to pay cost to reduce illegal

1 disposal to zero. I think on that probably curbside will
2 be shown to have an advantage. I don't know that. But
3 I'm just throwing out that idea based on the discussions
4 and the thinking that I've done about that over these
5 years.

6 In closing, I would just like to thank the Used
7 Oil Program staff, with whom I've had many discussions.
8 They've been very valuable. James Herota in particular
9 has given me lots of insights. But many members of the
10 staff have done that as well. And the local program
11 people around the state too who have really participated
12 in this research by being a sounding board for me and by
13 telling me where I was going wrong.

14 Thank you.

15 CHAIRPERSON PEACE: Yes. Thank you, Dr.
16 Browning.

17 Are we still continuing or -- Okay.

18 --o0o--

19 MR. HEROTA: I'd like to go over a few of the
20 action steps taken to date. In both the most recent grant
21 cycles for nonprofit grants and research and demonstration
22 grants, the criteria gave preference points to projects
23 that increased the number of oil collection centers; that
24 are auto parts stores or retail stores that sell
25 lubricating oil to the public; projects that employ

1 community-based social marketing strategies targeting
2 immigrants about local used oil and filter disposal. The
3 recently awarded contract to CSU Sacramento will identify
4 auto part stores that have potential for becoming oil
5 collection centers and identified barriers to becoming an
6 oil collection center.

7 Staff have incorporated performance-based
8 measures grounded in DIY data versus per-capital data for
9 block grants. And through conferences, staff and grantees
10 are sharing success in targeting DIYers. Staff recently
11 completed a survey of jurisdictions regarding potential
12 barriers for curbside collection.

13 --o0o--

14 MR. HEROTA: And due to the interest generated by
15 this work that Dr. Browning has done relative to curbside
16 oil collection, I wanted to share some of the preliminary
17 findings of our July 2005 survey of 82 jurisdictions that
18 did not have curbside for oil but did have curbside for
19 both bottles and cans.

20 First curbside collection of used oil is not
21 likely unless the jurisdiction already has an existing
22 curbside collection program for other recyclables such as
23 paper or beverage containers. Others are not considered
24 good candidates because they're very small. That
25 eliminates about 58 jurisdictions.

1 The good news is that of those remaining 189
2 jurisdictions that have curbside of bottles and cans,
3 approximately 60 percent of them do collect used oil.

4 --o0o--

5 MR. HEROTA: For those that don't have curbside,
6 the cost effectiveness was the biggest concern, just over
7 one-half of the local governments surveyed. One quarter
8 of the jurisdictions thought their haulers were not
9 interested in adding used oil collection. And one-third
10 opposed curbside due to perceived concerns regarding oil
11 spillage.

12 --o0o--

13 MR. HEROTA: Proposed actions for fiscal year
14 2005-2006. Given the great potential of curbside used oil
15 collection as well as working with shade tree mechanics,
16 staff are proposing a number of actions for the next
17 fiscal year. We plan to assess the cost barriers,
18 perceived risk to curbside collection from local
19 government and hauler points of view. We plan to provide
20 technical assistance to jurisdictions interested in adding
21 oil to existing curbside collection programs. We plan to
22 revamp the criteria and approach of the upcoming
23 Opportunity Grant to encourage curbside collection. We
24 plan to closely follow new nonprofit and research and
25 demonstrate grants relative to lessons regarding shade

1 tree mechanics and plastic bottle recycling.

2 And, in conclusion, if there's any questions, we
3 can take those at this time.

4 CHAIRPERSON PEACE: Ms. Mulé.

5 COMMITTEE MEMBER MULÉ: Thank you, Madam Chair.

6 Thank you both for your presentations. Dr.
7 Browning, I really enjoyed your presentation at the HHW
8 Used Oil Conference a few months back. And I do have a
9 question for you.

10 At the presentation that I saw at the luncheon I
11 recollect that the majority of the DIYers are younger,
12 that's correct?

13 DR. BROWNING: The majority.

14 COMMITTEE MEMBER MULÉ: Majority are.

15 And as I recall though, you had also indicated
16 that the majority of those younger DIYers and/or shade
17 tree mechanics live in multi-family units. And,
18 therefore, the need -- you know -- I think the conclusion
19 that you made then was that the need for curbside may not
20 be as significant as we might assume.

21 DR. BROWNING: I don't come to that conclusion.
22 They live in multi-family dwellings. But they also need
23 curbside collection. You need to have curbside collection
24 of their oil in order to make sure it actually gets
25 collected, even if they're multi-family --

1 COMMITTEE MEMBER MULÉ: But there's a difference
2 though between curbside collection and multi-family
3 collection. So you're saying though that there's a big
4 difference?

5 DR. BROWNING: It could be curbside or it could
6 be some other arrangement at a multi-family dwelling.

7 COMMITTEE MEMBER MULÉ: At a multi-family, right,
8 right. And that's -- usually when we talk about curbside,
9 we mean single family, you know. So -- and, again, as I
10 recall in your presentation, was that we may not
11 necessarily need single-family curbside collection
12 because -- or expand on that, because really the majority
13 of the DIYers live in these multi-family dwellings, so
14 that's where we need to focus our collection efforts.

15 DR. BROWNING: I think there's more oil -- you're
16 right. There's more oil to be collected that is now not
17 being collected by people who live in multi-family
18 dwellings. But there's also a large amount of oil
19 that's -- for people who live in single-family dwellings,
20 some of whom are younger. But they're more likely to be
21 over 40 than under 40.

22 COMMITTEE MEMBER MULÉ: Right, right. And
23 they're more likely to recycle it anyway.

24 DR. BROWNING: They are somewhat more likely.
25 But there are still millions and millions of gallons in

1 single-family dwellings that are not properly disposed of
2 now.

3 So I would say you're right. If you had a
4 priority -- if you had a single thing you could move on, I
5 would work toward experimenting to find workable ways to
6 collect at multi-family dwellings. That's where I think
7 most of the oil is.

8 But the single-family dwellings also have a lot
9 of oil and I wouldn't ignore them. So --

10 COMMITTEE MEMBER MULÉ: Right. And didn't you
11 have -- I believe you also provided statistics on the
12 number of single-family homes that are currently
13 collecting used motor oil curbside.

14 DR. BROWNING: I don't have that directly. What
15 I do have is the data on the age distribution for
16 single-family dwellings and how that connects to the age
17 distribution for curbside users. And they're very, very
18 similar. In this presentation I didn't include those two
19 graphs. Sorry.

20 COMMITTEE MEMBER MULÉ: Well, that's what was so
21 interesting to me in your presentation a few months back,
22 was the fact that, you know, most of the DIYers that live
23 in single-family homes are older because they -- you know,
24 they were able to afford a home; whereas the younger
25 DIYers, which the majority of them are younger, live in

1 multi-family dwellings.

2 DR. BROWNING: Yeah.

3 COMMITTEE MEMBER MULÉ: And, you know, that's the
4 challenge though that we've had as a state, not just with
5 the used oil collection. I mean just with regular --
6 plain old multi-family recycling it's very, very difficult
7 to get a program for, you know, paper, bottles and cans
8 established and used properly in multi-family, let alone
9 motor oil.

10 And then the other thing that I recall too is
11 that, you know, many of these multi-family complexes don't
12 allow the DIYers to do what they're doing. So what
13 they're doing, they're not supposed to be doing there as
14 far as changing their oil.

15 DR. BROWNING: Yeah. Well, they're not supposed
16 to be doing it on the premises --

17 COMMITTEE MEMBER MULÉ: Right, right.

18 DR. BROWNING: They can still do it, but -- yeah.

19 COMMITTEE MEMBER MULÉ: So that's again
20 another -- you know, again I'm just thinking out loud
21 here. It's very difficult for us to promote to -- to
22 promote multi-family -- or recycling of oil at a
23 multi-family dwelling when they're not supposed to be
24 changing their oil there in the first place.

25 So that's, you know, some of the frustrations.

1 So then, again, further thinking, you know, what
2 do we do? Do we make our collection centers more
3 convenient? Do we provide an incentive to allow more
4 collection centers throughout the community? I mean it's
5 really a tough issue for us to grapple with.

6 But, again, that's why I appreciate your -- your
7 information was very, very enlightening to me in terms of,
8 you know, just trying to figure out how do we address this
9 issue?

10 GRANTS AND CERTIFICATION SECTION SUPERVISOR

11 CORNWALL: I wanted to comment that we are in the midst of
12 tackling that: How do we locate the certified centers in
13 the right places and how do we recruit them? And our
14 contract, which is underway now, and should be generating
15 a tool kit actually next fall that focuses on how do you
16 recruit these certified centers.

17 What we know the biggest incentive is so far is
18 that for everybody that brings their oil in, they spend
19 about \$30. That's why these auto retail part stores are
20 interested in being certified centers. So we're doing a
21 lot of interviews and focus groups in this contract right
22 now to determine exactly from their mouths, if you will,
23 why they are certified centers, and trying to identify
24 those that will tell their peers; because we know that's
25 one of the best ways to get people to do something, is not

1 if we tell them, but if, you know, their peers, at their
2 conferences, whatever, if they see that there really are a
3 lot of benefits.

4 So we are tackling that recruitment. And with
5 Dr. Browning's data, we're focusing on areas where we know
6 there are a lot of the do-it-yourself oil changers.

7 COMMITTEE MEMBER MULÉ: Thank you.

8 CHAIRPERSON PEACE: Okay. Thank you.

9 I'm glad that one of the things you're going to
10 do is to assess the costs and the barriers to the curbside
11 collection. I'm glad to see that was part of this.

12 When do you think you'll be able to report back
13 on that?

14 GRANTS AND CERTIFICATION SECTION SUPERVISOR

15 CORNWALL: Report back on?

16 CHAIRPERSON PEACE: On some of these things that
17 you're going to be studying, like assessing the cost and
18 barriers of the curbside collection. Are you going to be
19 doing these in phases and bringing the results back to us?
20 Or is it going to be all one big report?

21 DEPUTY DIRECTOR LEE: I think, as I mentioned in
22 my opening remarks, we intend to keep the Board apprised
23 of developments in all of these areas. And so I would
24 expect -- I don't -- I don't want to kind of specify a
25 particular month. But I think as we -- in the

1 recommendations that we've noted, and we've got an ongoing
2 program, and, again, as results come in we'd be more than
3 pleased to come back to report on that progress.

4 GRANTS AND CERTIFICATION SECTION SUPERVISOR

5 CORNWALL: You can also expect that when we present the
6 criteria item for the opportunity grant, which is likely
7 to be early next year, curbside or some projects related
8 to that will be one of the criteria. So we'll spend some
9 time in the context of that item sharing, you know, some
10 of those results. But we think that it's very
11 important -- Dr. Browning's survey work was done with the
12 public and theoretical basis about curbside. What we
13 really need to understand is from the local government
14 perspective, what are the real and perceived barriers from
15 the haulers, also local elected officials. Many of the
16 jurisdictions, I think some quarter of them said, "Well,
17 our local government never asked us to look into it. So
18 we just didn't do that."

19 So we'll be looking into -- you know, we really
20 think there's a lot to be gained in looking at what the
21 real barriers are from the people who have to implement
22 the programs. And we will -- we have spent some
23 significant staff time actually doing this study.
24 Remember, last month you asked us why we weren't doing
25 some of these studies ourselves and why we had contracts.

1 Well, it's because of this kind of work like we're doing
2 on curbside, where we find we want much more, you know,
3 immediate results and, albeit somewhat, you know, back of
4 the envelope, but nonetheless data on which we can base
5 our decisions.

6 Those are the kind of tasks that we put our staff
7 researchers on. And so curbside has been a hard priority
8 for us.

9 CHAIRPERSON PEACE: Thank you, Bonnie. Thank
10 you, James. Thank you, Dr. Browning.

11 Okay. If there are not any other questions, this
12 meeting's adjourned.

13 Oh, and this was a Committee-only item.

14 DEPUTY DIRECTOR LEE: Yes, Madam Chair.

15 (Thereupon the California Integrated Waste
16 Management Board, Special Waste Committee
17 meeting adjourned at 10:45 p.m.)

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1 CERTIFICATE OF REPORTER

2 I, JAMES F. PETERS, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing California Integrated Waste Management Board,
7 Special Waste Committee meeting was reported in shorthand
8 by me, James F. Peters, a Certified Shorthand Reporter of
9 the State of California, and thereafter transcribed into
10 typewriting.

11 I further certify that I am not of counsel or
12 attorney for any of the parties to said meeting nor in any
13 way interested in the outcome of said meeting.

14 IN WITNESS WHEREOF, I have hereunto set my hand
15 this 22nd day of July, 2005.

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